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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,395	10/21/2003	Hisashi Saiga	55051 DIV (71117)	2475
21874 7590 10/10/2007 EDWARDS ANGELL PALMER & DODGE LLP P.O. BOX 55874 BOSTON, MA 02205			EXAMINER SHIH, HAOSHIAN	
			ART UNIT 2173	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/691,395

Applicant(s)

SAIGA ET AL.

Examiner

Haoshian Shih

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/13/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-13, 15, 52-60 and 62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-13, 15, 52-60 and 62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 11-13, 15, 52-60 and 62 are pending in this application and have been examined in response to application amendment filed on 09/13/2007.
2. Claims 1-10, 14, 16-51 and 61 have been canceled without prejudice.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 11, 13, 15, 52, 54, 58, 59 and 60 recites: "geometric complexity" There is no mention in the original specification of having geometric complexity data. Thus, the limitation includes subject matter that was not described in the original specification.

If the examiner has overlooked the portion of the original specification that describes the feature of the present invention, then applicant should point it out (by page number and line number) in the response to this office action.

Applicant may obviate this rejection by canceling the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 11-13, 15, 52-60 and 62 are rejected under 35 U.S.C. 102(e) as being unpatentable by Walker (US 6,279,017 B1).**

7. As to **INDEPENDENT** claim 11, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; "reading system") is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), in that:

the remark display control means **moves** and displays the visual confirmation guide (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and

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“advancement rates” indicates the movement of the visual confirmation guide), and in that:

the remark display control means moves the visual confirmation guide at a speed based on the geometric complexity of data being displayed by the visual confirmation guide (col.10, lines 50-53; “complex special event”; a word that is longer contains more geometric shapes and therefore is more complex than a word that is shorter).

8. As to **INDEPENDENT** claim 12, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; “reading system”) is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various “visual signals” are provided to distinguish area of the text display based on the provided “visual attributes”), in that:

the remark display control means **moves** and displays the visual confirmation guide (col.7, lines 33-43; col.9, lines 11-23; the “Minimum Text segment length” and “advancement rates” indicates the movement of the visual confirmation guide), and in that:

the remark display control means **moves** or deforms the visual confirmation guide at a speed based on **frequency** of data being displayed by the visual confirmation guide (col.39, lines 51-53).

9. As to **INDEPENDENT** claim 13, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; "reading system") is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), in that:

the remark display control means **moves** and displays the visual confirmation guide (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement of the visual confirmation guide), and in that:

the remark display control means **moves** the visual confirmation guide at a speed based on a combination of the **geometric** complexity the data being displayed (col.10, lines 50-53; "complex special event"; a word that is longer contains more geometric shapes and therefore is more geometric complex than a word that is shorter),

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with the **frequency** (col.39, lines 51-53) of data being displayed by the visual confirmation guide.

10. As to **INDEPENDENT** claim 15, Walker discloses a data storage medium containing a record of a data display program readable by a computer to realize:

a function for displaying a visual confirmation guide using a difference in visibility (col.6, lines 27-39; a list of visual confirmation guide rules is listed),

a function for distinguishing displayed data by the displayed visual confirmation guide visually (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), and

a function for **moving** (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement of the visual confirmation guide) **or deforming** the visual confirmation guide at a speed based on the geometric complexity (col.10, lines 50-53; "complex special event"; a word that is longer contains more geometric shapes and therefore is more geometric complex than a word that is shorter) of the data being displayed thereby and/or the frequency of data displayed thereby so as to make the data displayed thereby easier to read (col.39, lines 51-53).

11. As to **INDEPENDENT** claim 52, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the

data display means, characterized in that:

a remark display control means (col.3, lines 35-40; "reading system") is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), in that:

the remark display control means visually distinguishes the data being displayed with the visual confirmation guide from the data being displayed by said specified area of the display means by deforming the data being displayed by said specified area of the display means (col.9, lines 40-50; "animation") or adding information thereto and thereafter displaying the distinguished data with the visual confirmation guide (col.9, lines 54-63; "tagging" provides added definition to the text)., in that:

the remark display control means **moves** and displays the visual confirmation guide (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement of the visual confirmation guide), and in that:

the remark display control means **moves** (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement of the visual confirmation guide) **or deforms** (col. 9, lines 40-50; col.10, lines 47-53; features such as "blinking", "dissolving" and "highlighting" deforms the visual confirmation guide), the visual confirmation guide at a speed based on the geometric complexity of data being displayed by the visual confirmation guide (col.10, lines 50-53;

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“complex special event”; a word that is longer contains more geometric shapes and therefore is more complex than a word that is shorter).

12. As to **INDEPENDENT** claim 53, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; “reading system”) is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various “visual signals” are provided to distinguish area of the text display based on the provided “visual attributes”), in that:

the remark display control means **deforms** and displays the visual confirmation guide (col. 9, lines 40-50; col.10, lines 47-53; features such as “blinking”, “dissolving” and “highlighting” deforms the visual confirmation guide), and in that:

the remark display control means moves the visual confirmation guide at a speed based on the geometric complexity of data being displayed by the visual confirmation guide (col.10, lines 50-53; “complex special event”; a word that is longer contains more geometric shapes and therefore is more complex than a word that is shorter).

13. As to **INDEPENDENT** claim 54, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display

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control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; "reading system") is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), in that:

the remark display control means visually distinguishes the data being displayed with the visual confirmation guide from the data being displayed by said specified area of the display means by deforming the data being displayed by said specified area of the display means (col.9, lines 40-50; "animation") or adding information thereto and thereafter displaying the distinguished data with the visual confirmation guide (col.9, lines 54-63; "tagging" provides added definition to the text)., in that:

the remark display control means **deforms** and displays the visual confirmation guide col. 9, lines 40-50; col.10, lines 47-53; features such as "blinking", "dissolving" and "highlighting" deforms the visual confirmation guide).

the remark display control means **deforms** (col. 9, lines 40-50; col.10, lines 47-53; features such as "blinking", "dissolving" and "highlighting" deforms the visual confirmation guide), the visual confirmation guide at a speed based on the geometric complexity of data being displayed by the visual confirmation guide (col.10, lines 50-53; "complex special event"; a word that is longer contains more geometric shapes and therefore is more complex than a word that is shorter).

14. As to **INDEPENDENT** claim 55, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; "reading system") is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), in that:

the remark display control means visually distinguishes the data being displayed with the visual confirmation guide from the data being displayed by said specified area of the display means by deforming the data being displayed by said specified area of the display means (col.9, lines 40-50; "animation") or adding information thereto and thereafter displaying the distinguished data with the visual confirmation guide (col.9, lines 54-63; "tagging" provides added definition to the text)., in that:

the remark display control means moves and displays the visual confirmation guide (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement of the visual confirmation guide), and in that:

the remark display control means **moves** (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement

of the visual confirmation guide) **or deforms** (col. 9, lines 40-50; col.10, lines 47-53; features such as “blinking”, “dissolving” and “highlighting” deforms the visual confirmation guide), the visual confirmation guide at a speed based on the **frequency** of data being displayed by the visual confirmation guide (col.39, lines 51-53).

15. As to **INDEPENDENT** claim 56, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; “reading system”) is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various “visual signals” are provided to distinguish area of the text display based on the provided “visual attributes”), in that:

the remark display control means deforms and displays the visual confirmation guide (col. 9, lines 40-50; col.10, lines 47-53; features such as “blinking”, “dissolving” and “highlighting” deforms the visual confirmation guide), and in that:

the remark display control means **moves** (col.7, lines 33-43; col.9, lines 11-23; the “Minimum Text segment length” and “advancement rates” indicates the movement of the visual confirmation guide) **or deforms** (col. 9, lines 40-50; col.10, lines 47-53; features such as “blinking”, “dissolving” and “highlighting” deforms the visual

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confirmation guide), the visual confirmation guide at a speed based on the **frequency** of data being displayed by the visual confirmation guide (col.39, lines 51-53).

16. As to **INDEPENDENT** claim 57, see rationale addressed in the rejection of claim 55 above.

17. As to **INDEPENDENT** claim 58, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; "reading system") is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), in that:

the remark display control means visually distinguishes the data being displayed with the visual confirmation guide from the data being displayed by said specified area of the display means by deforming the data being displayed by said specified area of the display means (col.9, lines 40-50; "animation") or adding information thereto and thereafter displaying the distinguished data with the visual confirmation guide (col.9, lines 54-63; "tagging" provides added definition to the text)., in that:

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the remark display control means moves and displays the visual confirmation guide (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement of the visual confirmation guide), and in that:

the remark display control means **moves or deforms** (col. 9, lines 40-50; col.10, lines 47-53; features such as "blinking", "dissolving" and "highlighting" deforms the visual confirmation guide) the visual confirmation guide at a speed based on a combination of the **geometric** complexity the data being displayed (col.10, lines 50-53; "complex special event"; a word that is longer contains more geometric shapes and therefore is more geometric complex than a word that is shorter), with the **frequency** (col.39, lines 51-53) of data being displayed by the visual confirmation guide.

18. As to **INDEPENDENT** claim 59, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; "reading system") is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), in that:

the remark display control means moves and displays the visual confirmation guide (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement of the visual confirmation guide), and in that:

the remark display control means **deforms** (col. 9, lines 40-50; col.10, lines 47-53; features such as "blinking", "dissolving" and "highlighting" deforms the visual confirmation guide) the visual confirmation guide at a speed based on a combination of the geometric complexity the data being displayed (col.10, lines 50-53; "complex special event"; a word that is longer contains more geometric shapes and therefore is more geometric complex than a word that is shorter), with the **frequency** (col.39, lines 51-53) of data being displayed by the visual confirmation guide.

19. As to **INDEPENDENT** claim 60, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the data display means, characterized in that:

a remark display control means (col.3, lines 35-40; "reading system") is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), in that:

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the remark display control means visually distinguishes the data being displayed with the visual confirmation guide from the data being displayed by said specified area of the display means by deforming the data being displayed by said specified area of the display means (col.9, lines 40-50; "animation") or adding information thereto and thereafter displaying the distinguished data with the visual confirmation guide (col.9, lines 54-63; "tagging" provides added definition to the text)., in that:

the remark display control means moves and displays the visual confirmation guide (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement of the visual confirmation guide), and in that:

the remark display control means deforms (col. 9, lines 40-50; col.10, lines 47-53; features such as "blinking", "dissolving" and "highlighting" deforms the visual confirmation guide) the visual confirmation guide at a speed based on a combination of the geometric complexity the data being displayed (col.10, lines 50-53; "complex special event"; a word that is longer contains more geometric shapes and therefore is more geometric complex than a word that is shorter), with the frequency (col.39, lines 51-53) of data being displayed by the visual confirmation guide.

20. As to claim 62, Walker discloses the remark display control means displays the visual confirmation guide superimposed on data being displayed on the display means (col.3, lines 30-31; "animation").

Response to Arguments

21. Applicant's arguments filed on 09/13/2007 have been fully considered but they are not persuasive.

22. Applicant argues Walker does not disclose the remark control means may operate based upon geometric complexity of the data.

The examiner disagrees, Walker discloses in col.10, lines 50-53; "complex special event"; that longer words requires longer emphasis; words that are longer contains more geometric shapes and therefore is more geometric complex than a word that is shorter.

23. Applicant argues Walker does not disclose the remark control means may operate based upon the frequency of the data being displayed.

The examiner disagrees, Walker discloses that a word frequency dictionary is used to weight the difficulty of a word (col.39, lines 50-53), Walker further discloses that a longer visual emphasis required for more difficulty words (col.10, lines 50-53).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haoshian Shih whose telephone number is (571) 270-1257. The examiner can normally be reached on m-f 0730-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSS 
TADESSE HAILU
PRIMARY EXAMINER